

Attorney Docket No. 45600/275110

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Hammer et al. Confirmation No.: 3263  
Appl. No.: 10/797,270 Group Art Unit: 1638  
Filed: March 10, 2004 Examiner: Not Assigned  
For: METHODS TO CONFER HERBICIDE RESISTANCE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL CITATION UNDER 37 C.F.R. § 1.97

Attached is a Supplemental Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US2004/007169 not more than three months prior to the filing of this Statement.

In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The Search Report is enclosed along with any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 23, 2004

*Nora C. Martinez*  
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Substitute for form 1449/PTO  
(Revised 04/2003)

**Complete if Known**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Sheet 1 of 1 Application Number 10/797,270  
Filing Date March 10, 2004  
First Named Inventor Hammer et al.  
Group Art Unit 1638  
Examiner Name Not Assigned  
Attorney Docket Number 045600/275110

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	20	US-5,378,824	01-03-1995	Bedbrook et al.	
	21	US-5,928,937	07-27-1999	Kakefuda et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
	22	WO 99/43833 A1	09-02-1999	Universitat Bern		
	23	WO 00/32789 A1	06-08-2000	Centrum Voor Plantenveredelings En Reproductieonderzoek		
	24	WO 00/77185 A1	12-21-2000	Novartis AG		
	25	WO 02/36787 A2	05-10-2002	Aventis Cropscience S.A.		

**OTHER DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	26	HOHMANN, S., & MEACOCK, P.A., "Thiamin Metabolism and Thiamin Diphosphate-dependent Enzymes in the Yeast <i>Saccharomyces cerevisiae</i> : Genetic Regulation," <i>Biochimica et Biophysica Acta</i> , 1998, pp. 201-219, Vol. 1385	
	27	SHIAO, T-L., et al., "Overexpression of Alcohol Dehydrogenase or Pyruvate Decarboxylase Improves Growth of Hairy Roots at Reduced Oxygen Concentrations," <i>Biotechnology and Bioengineering</i> , February 15, 2002, pp. 455-461, Vol. 77, No. 4	
	28	STOCK, M., et al., "Degradation of Glyphosate in Excised Leaves of Tobacco and Sugar Beet," <i>J. Plant Physiol.</i> , 1991, pp. 171-174, Vol. 139	
	29	TADEGE, M., et al., "Anoxia Tolerance in Tobacco Roots: Effect of Overexpression of Pyruvate Decarboxylase," <i>The Plant Journal</i> , 1998, pp. 327-335, Vol. 14, No. 3	

RTA01/2171815v1

Examiner Signature	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.